

Maternity Allowance



Department
for Work &
Pensions

Please keep these notes for your information, do not return them with your MA1 claim form.

Notes sheet

- **Help if you are expecting a baby and you are or have been**
 - **employed but cannot get Statutory Maternity Pay, or**
 - **self employed, or**
 - **not employed or self-employed, but you take part in the business of your self-employed spouse or civil partner, or**
 - **an agency worker**

These notes give general guidance only and should not be treated as a complete and authoritative statement of the law.

What is Maternity Allowance?

Maternity Allowance (MA) is a social security benefit that you may be able to get around the time your baby is due.

- It is paid every 2 weeks or every 4 weeks in arrears.
- It is paid up to 39 weeks if you
 - are employed or self-employed, or
 - have recently been employed or self-employed, or
 - are an agency worker
- It is called the **Maternity Allowance Period (MAP)** when we pay you MA
- It is paid for up to 14 weeks if you are not employed or self-employed, but you take part in activities related to the business of your self-employed spouse or civil partner. It is called the **14 week period** when we pay you this MA

Who can get Maternity Allowance?

You may be able to get Maternity Allowance for 39 weeks if

- you are not entitled to Statutory Maternity Pay (SMP) from any of your employers
- Your employer must give you a form **SMP1** which says why you cannot get SMP. If you have more than one employer, each one must give you an **SMP1**. Send us the **SMP1** from each employer. You may not be able to get SMP because:
 - you were not employed in the 15th week before the week your baby is due, or
 - you have not been employed by the same employer for long enough, or
 - you have not been earning enough

and

Who can get Maternity Allowance? continued

- you have been employed or self-employed for at least 26 weeks in the 66 weeks before the week you expect to have your baby

and

- your average gross weekly earnings are at least £30 a week for 13 weeks in your Test Period

or

- we have treated you as having earnings of £30 a week in the Test Period

and

- you have stopped work to have your baby

See **page 5** for more information about the **Test Period**.

If you are employed, we may check the information you have given us with your employer.

By *employer* we mean the person or organisation who pays the employer's share of Class 1 National Insurance (NI) contributions. We still call them an employer, even if they do not pay Class 1 NI contributions because of an employee's age or level of earnings.

We call you *employed* even if you are an agency worker, if

- you pay Class 1 NI contributions on your earnings, or
- you would pay Class 1 NI contributions, but you do not because of your age or level of earnings

To find out more about your gross weekly earnings, see

- **page 9** if you are employed, or
- **page 10** if you are self-employed

You do not have to be a UK citizen to get MA.

If you have worked, you may be able to get MA.

People who are self-employed are required by law to register their self-employment with HM Revenue & Customs (HMRC) according to HMRC rules. If you do not register or register late, you may lose some or all of your MA.

Who can get Maternity Allowance? continued

You may be able to get MA for 14 weeks if

you take part in the business of your self-employed spouse or civil partner.

To get Maternity Allowance for taking part in activities related to the business of your self-employed spouse or civil partner you must not be entitled to Statutory Maternity Pay, or Maternity Allowance in respect of either employment or self-employment, at the same time, for the same pregnancy.

In addition, in at least **26 weeks during your Test Period** you must take part in activities related to the business, and **for those same 26 weeks:**

- you must be married to, or in a civil partnership with, the self-employed person, and
- you must not be employed by, or a partner in, your spouse's or civil partner's business, and
- your spouse or civil partner must have been working as a self-employed earner in their business, and
- your spouse or civil partner must have been registered as self-employed and have paid Class 2 National Insurance contributions

By taking part in activities related to the business we mean carrying out the same or additional tasks which support the business of your self-employed spouse or civil partner.

People who are self-employed are required by law to register their self-employment with HMRC according to HMRC rules.

If your self-employed spouse or civil partner has not registered with HMRC or registers late, you may lose some or all of your MA.

Your spouse's or civil partner's Class 2 NI contributions

We may need to contact your spouse or civil partner about paying Class 2 NI contributions. You can ask us not to contact them, but if they have not paid enough Class 2 NI contributions to entitle you to MA, we may not be able to pay you MA.

Who can get Maternity Allowance? continued

Test period

The 66 weeks before the week you expect to have your baby is known as your **test period**. We work out your test period from the date your baby is due, not the actual date of birth.

Please refer to the test period table in this pack or at www.gov.uk/maternity-allowance/how-to-claim to identify the test period that applies to you.

When to claim Maternity Allowance

The earliest you can claim is at the start of the fourteenth week before the week your baby is due.

Even if you are still working or taking part in the business of your self-employed spouse or civil partner, claim as soon as you can after the start of the fourteenth week before the week your baby is due. We will contact you later to find out the date when you stop work.

Do not sign and date the MA1 claim form earlier than the fourteenth week before the week your baby is due.

If your baby is born early

Claim straight away after your baby is born. Your **test period** will not change.

Time limit for claims

You must claim within 3 months of the date your Maternity Allowance Period or 14 week period is due to start. If you delay, you will lose money.

Your expected date of childbirth

- **If you are claiming before your baby is born**

This date is in **Part A** of your **Maternity Certificate MAT B1**. Childbirth is called *confinement* on the certificate. You can get this certificate from your doctor or midwife from the twenty-first week of your pregnancy

- **If you are claiming after your baby is born**

Send us your **MAT B1** completed at **Part B**. If **Part B** has not been completed, you must send us your baby's birth certificate

- **If you give birth to a stillborn child**

We know this will be a very difficult time for you but please send in the notification of stillbirth issued by the attending midwife or doctor or the certificate of stillbirth issued by the registrar. Please tell your Jobcentre Plus straight away to make sure we do not pay you MA that we then have to claim back

When we pay Maternity Allowance

Your **Maternity Allowance Period** or **14 week period** will start on the Sunday of the 11th week before the week you expect to have your baby, if at this time you are:

- not employed or self employed
- employed or self employed, but have stopped working, or
- not taking part in the business of your self-employed spouse or civil partner

If you are still working as an employed or self-employed earner on or after the 11th week before the week you expect to have your baby

Usually you can choose when you want your MA to start. Your MA can start on any day after you stop work, but the latest it can start is the day after your baby is born. Make sure you read the rest of the information in this section which tells you about situations when your MA must start at a particular time.

If you are getting SSP from your employer, your SSP must stop when your MA starts. **You must tell your employer the date that your Maternity Allowance Period will start.**

If you are still taking part in the business of your self-employed spouse or civil partner on or after the 11th week before the week you expect to have your baby

If you are still taking part in the business of your self-employed spouse or civil partner on or after the 11th week before the week you expect to have your baby, your MA will start on the day after you stop taking part.

If you give birth earlier than expected

If you give birth earlier than expected and your MA has not yet started, you **must** tell Jobcentre Plus straight away. This is because your MA will start automatically on the day after the birth. Details of how to contact Jobcentre Plus are on page 12.

When we pay Maternity Allowance continued

If you give birth to a stillborn child

If your baby is stillborn from the start of the twenty-fourth week of pregnancy you must tell Jobcentre Plus straight away. This is because MA will start the day after the birth. Details of how to contact Jobcentre Plus are on page 12.

If you are off work because of your pregnancy on or after the fourth week before the week your baby is due

Your MA **must start** if you are on maternity leave on or after the fourth week before the week your baby is due. Your MA will start automatically on the day after the first day you are absent from work for this reason in this 4 week period.

If you are sick because of your pregnancy on or after the fourth week before your baby is due

Your MA **must start** if you are sick because of your pregnancy at any time in the 4 weeks before the week your baby is due and you

- are absent from work, or
- stop taking part in activities related to the business of your self employed spouse or civil partner

Your MA will start automatically on the day after the first day you are sick and absent from work or taking part in activities related to the business of your self-employed spouse or civil partner for this reason in this 4 week period.

If you were getting any Statutory Sick Pay (SSP), Employment and Support Allowance or Incapacity Benefit, it will stop.

If you and your employer disagree about whether you are sick because of your pregnancy, get in touch with Jobcentre Plus. Details of how to contact Jobcentre Plus are on page 12.

How we work out how much Maternity Allowance you get

If you are employed

We use the **earnings rule** to work out your MA.

The earnings rule means that you must earn at least £30 a week on average. We average your gross earnings over any 13 weeks in your **test period**. The 13 weeks do not have to be in a row.

By *gross earnings*, we mean the amount of money your employer pays you before anything is taken off. For example, income tax or NI contributions.

To work out your average gross weekly earnings, we will add together your gross earnings from each of the 13 weeks in which you earned the most. We then divide the total by 13.

We need to see original payslips for the 13 weeks. For example, if you are paid:

- weekly - send in 13 payslips
- 2-weekly - send in 7 payslips
- 4-weekly - send in 4 payslips
- monthly - send in 4 payslips

If you have been employed you must provide payslips or your claim will be delayed.

If you had more than one job in any of the weeks you have chosen, send us the payslips from all the jobs. We will return them to you. We cannot accept carbonised payslips.

If you do not have your original payslips you can ask your employer to give you copies of them, or you can ask for a statement from your employer to cover your chosen weeks.

The amount of MA you get will be either the standard rate of MA or 90% of your average gross weekly earnings. You will get the amount which is the lower of the two.

How we work out how much Maternity Allowance you get continued

If you are self-employed

We use the **earnings rule** to work out your MA.

If you are self-employed you are required by law to register as self-employed with HMRC. If you do not register, or register late, you may lose some or all of your entitlement to MA.

If you are registered as self-employed for 26 weeks within the Test Period, you will be treated as having earnings of £30 a week for 13 weeks in the Test Period and will get the lower rate of MA.

If you have paid 13 Class 2 NI contributions within the test period you will be treated as having enough earnings to get the standard rate of MA.

If you take part in activities related to the business of your self-employed spouse or civil partner

For at least 26 weeks during your test period:

- you must have been taking part in activities related to the business of your self-employed spouse or civil partner, and
- **or the same 26 weeks** you must be, or have been married to or in a civil partnership with the same self-employed person, and
- you must not be a partner in or an employee of the business of your spouse or civil partner

And for the same 26 weeks during your test period your spouse or civil partner must have been

- registered as self-employed and have paid Class 2 NI contributions, and
- working as a self-employed earner in their business

Also, to get this MA you must not be entitled to or receiving

- SMP from a current or former employer for the same pregnancy, or
- MA in respect of either employment or self-employment for the same pregnancy

The test period is 66 weeks up to and including the week before the week your baby is due.

How we work out how much Maternity Allowance you get continued

Abroad

MA is based on employment and earnings in the UK. If you have not worked or earned enough in the UK to get MA, but have worked abroad in certain countries, we may be able to take that work into account.

For more information about the countries we can consider, go to [**www.gov.uk/international-pension-centre**](http://www.gov.uk/international-pension-centre)

If you are taking part in activities related to the business of your self-employed spouse or civil partner from abroad, and that business is based in the UK, you may be able to get a maternity allowance depending on the country that you are taking part in activities from. For more information about the countries we can consider, go to [**www.gov.uk/international-pension-centre**](http://www.gov.uk/international-pension-centre)

If the business of your self-employed spouse or civil partner is based abroad and you take part in activities related to it from the UK or from another country, it will be for the country in which the business is based to consider if you can get maternity allowance under that country's qualifying conditions.

What happens after you claim

We can make a decision about your MA claim more quickly if you:

- answer all the questions on the claim form that apply to you, and
- send us all the documents we ask for

If you cannot do this, get in touch with us. We will write to tell you the result of your claim as soon as we can.

If you are not entitled to MA

We will write to tell you the reason. We will also check to see if you can get Employment and Support Allowance. To find out more, ask for a leaflet from Jobcentre Plus. Or you can visit [**www.gov.uk/browse/benefits**](http://www.gov.uk/browse/benefits)

More information and other help

Maternity Allowance

If you live in England, Scotland or Wales contact:

Wrexham Maternity Allowance

Mail Handling Site A

Wolverhampton

WV98 1SU

English speakers phone **0800 169 0283**.

Welsh speakers phone **0800 169 0296**.

Textphone users with speech or hearing difficulties use **0800 169 0286**.

There is more information about Maternity Allowance in **NI17A** *A guide to Maternity Benefits*. You can find the guide at www.gov.uk/government/publications/maternity-benefits-technical-guidance

Working while getting Maternity Allowance

If you are getting MA for 39 weeks because you were recently either employed or self-employed, you are allowed to work for up to 10 days during your MAP without losing MA payments. These are called *Keeping in Touch days*. You can find out more about this in guide **NI17A**. You can also ask Jobcentre Plus.

You must tell Jobcentre Plus of any work you do while you get MA.

If you are getting MA for 14 weeks for taking part in activities relating to the business of your self-employed spouse or civil partner *Keeping in Touch days* do not apply. You may lose MA for each week that you take part in this business or do any work as an employed or self-employed earner in your 14 week period.

More information and other help continued

Shared Parental Leave and Statutory Shared Parental Pay

You and your partner or the other parent of the child may be able to get Shared Parental Leave or Statutory Shared Parental Pay after the baby is born.

If you are eligible and decide to take Shared Parental Leave or Statutory Shared Parental Pay, you must give us at least 8 weeks notice that you want to end your MA early. If you have already returned to work, your MA will end in the week in which your notice was given. The end date must be the last date of your benefit week. For example, if your MA began on a Tuesday, the benefit week will end on the following Monday. If your MA began on a Wednesday, it will end on the following Tuesday.

For more information visit

www.gov.uk/shared-parental-leave-and-pay

If you are going abroad or have been abroad

We use *abroad* to mean any country outside the United Kingdom (UK). The UK is Great Britain and Northern Ireland, including any territorial waters next to Great Britain and Northern Ireland. The UK does not include the Isle of Man or the Channel Islands.

The UK has special arrangements with certain other countries that may help you to get MA if you are going abroad or if you have recently been abroad and returned to the UK.

More information and other help continued

You can find out more by contacting:

International Pension Centre
The Pension Service 11
Mail Handling Site A
Wolverhampton
WV98 1LW

Phone: **0191 218 7644** (or **+44 191 218 7644** when calling from abroad)

Textphone users with speech or hearing difficulties use **0191 218 7280** (or **+44 191 218 7280** when calling from abroad)

Fax: **0191 218 7147**

E-mail: **tvp.internationalqueries@dwp.gsi.gov.uk**

Or you can find out more at

www.gov.uk/international-pension-centre

Child Benefit

You can claim this benefit when your baby is born. To find out more about Child Benefit visit **www.gov.uk/child-benefit**

Sure Start Maternity Grant

On 10 December 2018 Best Start Grant, Pregnancy and Baby Payment replaced Sure Start Maternity Grant for customers living in Scotland.

If you live in Scotland, you will no longer be able to get Sure Start Maternity Grant from that date.

If you live in Scotland and you claimed before 10 December 2018, we will handle your claim as normal.

For more information about Best Start Grant, including information on how to claim, go to **www.mygov.scot**

More information and other help continued

You may be able to get a Sure Start Maternity Grant if you live in England or Wales and you or your partner are getting:

- Universal Credit
- Income Support
- Income Maternity Allowance - please note that if you are getting Maternity Allowance we can only pay you a Sure Start Maternity Grant if you are also getting one of the benefits listed above
- Income-based Job Seekers Allowance
- Income-related Employment and Support Allowance
- Pension Credit
- Working Tax Credit which includes a disability or severe disability element
- Child Tax Credit
- Support for Mortgage Interest Loan

You can get the claim form **SF100 Sure Start Maternity Grant** from the Social Fund from your ante-natal clinic or Jobcentre Plus.

Working Tax Credit

This is a payment to top up the earnings of working people with a low income. You usually need to be working a minimum number of hours a week to claim Working Tax Credit.

If you are aged 16 or over, you can claim Working Tax Credit if you work at least 16 hours a week and

- you qualify for a disability element, or
- you or your partner are aged 60 or over, or
- you are single and are responsible for a child or qualifying young person

If you are part of a couple and are responsible for a child or qualifying young person, you can claim Working Tax Credit if

- you and your partner work at least 24 hours a week between you, with one of you working at least 16 hours a week, or
- you or your partner work at least 16 hours a week when the other partner is incapacitated, in hospital or in prison, or
- you or your partner work at least 16 hours a week and are disabled or aged 60 or over

More information and other help continued

If you do not have children, are not entitled to the disability element or are not over 60, you can claim Working Tax Credit if:

- you are aged 25 or over, and
- you work at least 30 hours a week

Working Tax Credit is available to self-employed people and employees.

Child Tax Credit

Maternity Allowance does not include money for children or qualifying young persons. But you can claim Child Tax Credit instead.

We use 'child' to mean a person aged under 16 who you are getting Child Benefit for.

We use 'qualifying young person' to mean a person aged 16, 17, 18 or 19 who you are getting Child Benefit for.

To claim tax credits

To claim tax credits, you have to fill in a claim form. You can only get a Tax Credits claim pack from the Tax Credit helpline. You can't claim online.

Phone the Tax Credit helpline on **0345 300 3900**.

If you have speech or hearing difficulties, you can contact the helpline using a textphone on **0345 300 3909**.

If you need help or a form in Welsh, please phone **0345 302 1489**.

Lines are open 8am to 8pm Monday to Friday and 8am to 4pm on Saturday. Lines are closed Sunday, Christmas Day, Boxing Day and New Year's Day.

Maternity leave and employment rights

If you are an employee, you are entitled to take time off work to have your baby. You also have other employment rights. To find out more about maternity leave and employment rights visit

www.gov.uk/employee-rights-when-on-leave